

Remarks

Claims 1-43 are pending.

Claims 1-43 stand rejected.

Claims 1-2, 12-13 and 26 are amended.

Claims 1-43 are submitted herein for review.

No new matter has been added.

In the Office Action, the Examiner has rejected independent claim 1 under 35 U.S.C. § 102(b) as being anticipated by Nolan (U.S. Patent No. 3,500,967); independent claim 12 is rejected as being anticipated Fujimori (U.S. Patent No. 4,214,649); and claim 26 is rejected under 35 U.S.C. § 103(a) over Fujimori in view of Nolan.

Applicants respectfully disagree and submit the following remarks in response.

The present independent claim 1 is directed to a brake pad for a disc brake that can be associated with a caliper with thrust means for clamping the brake pad with friction against a braking band of a brake disc.

The brake pad has a plate with a central portion provided with a layer of friction material, the central portion having an upper edge and an opposed lower edge and also two lateral edges. *Two support appendages extend from the lateral edges of the central portion, each of which bounds an eye capable of receiving a pin of the caliper,* where the upper edge and lower edge extend substantially along circumferences of a circle imparting an arcuate shape to the central portion so that the upper edge is substantially convex and the lower edge is substantially

concave. The support appendages are disposed substantially at the height of the lower edge of the brake pad.

Separately, independent claim 12 is also directed to a disc brake which includes a caliper that has at least two seats receiving a brake pads with each of the seats having a central space bounded by a connecting member which connects the two lateral walls of the caliper and a lower edge of the lateral wall opposed to the aforesaid connecting member, with two lateral containment walls.

Two outer spaces extend laterally from the central space, there being arranged in each of the outer spaces a pin capable of engaging a respective eye of the brake pad, where both the connecting member and the lower edge extend along circumferences of a circle, imparting an arcuate shape to the central space so that an upper edge of the connecting member is substantially convex and the lower edge is substantially concave. The outer spaces are disposed substantially at the height of the lower edge of the caliper.

Independent claim 26 includes the features of both the caliper seats and the brake pads.

Such an arrangement provides a brake pad and a caliper for a disc brake having characteristics such as to remedy the drawbacks of the known solutions. See paragraph [0005]. For example, by having the support appendages near the lower edge of the pad with the corresponding pins (in the outer spaces (26a and 26b) on the caliper seats also at the height of the lower edge of the caliper, the brake pads are anchored to the caliper near the zone where the caliper is in turn anchored to the suspension of the vehicle. Since this anchoring region is much stiffer than the radially outer regions of the caliper body, the pads are less subject to vibrations and noise.

The cited prior art does not show all of the claimed features of the claims.

For example, regarding claim 1 the Nolan reference does not have lateral support appendages with eyes for receiving pins on the caliper seat. In the Office Action, the Examiner argued that element 61 of Nolan is a support appendage with bonding eyes 61. See Office Action at pg. 2. However, this element 61 is does not have any openings (or eyes) for receiving a pin. The element 60 is not an opening but is a raided abutment as shown in Figure 4. The only openings on the plate are opening s 74 which are in the middle of the friction lining 58.

As such, Nolan does not teach or suggest all of the elements of claim 1. For example, there is no teaching or suggestion in Nolan for two support appendages that extend from the lateral edges of the central portion, each of which bounds an eye capable of receiving a pin of the caliper with the support appendages are disposed substantially at the height of the lower edge of the brake pad.

Turning to independent claim 12, the arrangement of Fujimori does no show a caliper seat as claimed. In forming the rejection, the Examiner argues that the Fujimori reference has two outer spaces in the seat with a pin (13C) for receiving the brake pad. Office Action at pg. 4. However, this assessment is incorrect. Element 13C in Fujimori is not a pin on a caliper seat for fitting into an eye of a corresponding brake pad. It is a projection on the brake pad (not the seat of the caliper) for holding an anti-vibration spring 26 in place. See col. 3, lines 14-19. The manner for attaching the brake pad to the caliper seat appears to be related to elements 18a at the top sides of the brake pad.

As such, Fujimori does not teach or suggest all of the elements of claim 12. For example, there is no teaching or suggestion in Fujimori for two outer spaces extend laterally from the central space, there being arranged in each of the outer spaces a pin capable of engaging a respective eye of the brake pad, where the outer spaces are disposed substantially at the height of

the lower edge of the caliper.

In view of the foregoing, Applicants respectfully request that the rejection of independent claims 1 and 12 be withdrawn. As claims 2-11 and 13-15 depend therefrom, these claims should be allowed for at least the same reasons. Regarding claim 26, this claim at least the above discussed elements of claims 1 and 12 and should be allowed for at least the same reasons as set forth above in support of claims 1 and 12. As claims 27-43 depend therefrom, these claims should be allowed for at least the same reasons as claim 26.

In view of the foregoing, Applicants respectfully submit that pending claims 1- 43 are in condition for allowance, the earliest possible notice of which is earnestly solicited. If the Examiner feels that an interview would facilitate the prosecution of this Application they are invited to contact the undersigned at the number listed below.

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Respectfully submitted,

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